

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

HYPER ICE, INC. and HYPERICE IP SUBCO,  
LLC,

Plaintiffs,

v.

LOWE'S COMPANIES INC.,

Defendant.

Civil Action No. 6:24-cv-00036-OLG

JURY TRIAL DEMANDED

**PLAINTIFFS' NOTICE OF DISMISSAL WITHOUT PREJUDICE**  
**PURSUANT TO RULE 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(i), Plaintiffs Hyper Ice, Inc. and Hyperice IP Subco, LLC (collectively, "Plaintiffs") hereby file this Notice of Dismissal Without Prejudice of all claims asserted by Plaintiffs against Defendant Lowe's Companies Inc. in the above-styled action. Plaintiffs confirm that Defendant Lowe's Companies Inc. has not filed an answer, motion for summary judgment, or other responsive pleading prior to the filing of this Notice of Dismissal Without Prejudice.

Dated: February 1, 2024

Respectfully submitted,

/s/ Benjamin Herbert  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on February 1, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

/s/ Benjamin Herbert  
Benjamin A Herbert